

# Privacy Policy

BForty Pilates Pty Ltd ATF BForty Pilates Trust ABN 47 673 185 398 including our related body corporate ("**BForty Pilates**") and any independent business operating under the Bforty Pilates network ("**we**", "**us**" or "**BForty Pilates**") is committed to the protection of individual's privacy.

It applies to all persons who interact with us, including our members, advertisers and persons who visit or use our site (<https://bfortypilates.com.au/>) and other e-commerce technology including application program interfaces, mobile, tablet and other smart device applications (**Platforms**).

This privacy policy ("**Privacy Policy**") describes generally how we manage personal information and safeguard privacy. If you would like more information, please don't hesitate to contact us.

This Privacy Policy forms part of, and is subject to the provisions of, our Platform Terms of Use, our Membership Terms and applies to all personal information and data collected by BForty Pilates including any related body corporate in the conduct of its business and with respect to all users. By interacting with us on our Platforms, you acknowledge and consent to the practices described in this Privacy Policy.

As an Australian company, BForty Pilates will treat all personal information in accordance with any and all obligations that are binding upon us under the *Privacy Act 1988* (Cth) ("**Privacy Act**"). The Privacy Act lays down 13 key principles in relation to the collection and treatment of personal information, which are called the "Australian Privacy Principles" ("**APPs**"). This Privacy Policy does not apply to our employees or employee records, as the handling of employee records by a private sector employer is exempt from the Privacy Act if it is directly related to the employee's current or former employment relationship. However, if you do have questions regarding the handling of your employee records, you can contact our Privacy Officer (see below) for assistance.

## What personal information do we collect

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BForty Pilates will generally collect your Personal Information directly from you. Personal information held by BForty Pilates may include your:

- name and date of birth;
- residential and business postal addresses, telephone/mobile/fax numbers and email addresses;
- emergency contact information;
- bank account and/or credit card details for agreed billing purposes;
- any information that you provided to us by you during your account creation process or added to your user profile;
- preferences and password for using our Platforms and your computer and connection information;
- and any information that you otherwise share with us.

## **Sensitive Information**

BForty Pilates or any associated independent businesses operating under the Bforty Pilates network may also collect 'Sensitive Information' as defined by the Privacy Act. Sensitive Information will only ever be used for the purposes of providing products and services to you and will not be used or disclosed for any other purpose without your express consent, except where required by law. This information may include:

- health or genetic information;
- biometric information including body and weight measurements;
- medical history; and
- other health-related information that is necessary to effectively advising you about your health and fitness training.

## **Information provided to STRIPE**

All purchases that are made through our Platforms are processed securely and externally by Stripe. Unless you expressly consent otherwise, we do not see or have access to any personal information that you may provide to Stripe, other than information that is required in order to process your order and deliver your purchased items to you (eg, your name, email address and billing/postal address).

## **How we may collect your personal information**

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On our Platforms, we only collect personal information that is necessary for us to conduct our business as a health and fitness provider utilising the reformer Pilates method through an offering of tailored classes, flexible membership options and site-specific childing minding services

## **Information that you provide to us**

We may collect personal information that you provide to us about yourself when you:

- use our Platforms, including (without limitation) when you:
  - create a user account;
  - add information to your user profile;
  - purchase any products and/or services through our Platforms;
  - register for access to premium content or request certain premium features; or
  - complete an online contact form to contact us;
- provide information to us by telephone or through marketing or competition application forms including from organisers of events BForty Pilates sponsors where prior consent is given;
- register an account or purchase classes from one of our BForty Pilates physical studio locations; or
- send us an email or other communication.

We may also collect personal information in the form of CCTV footage when you attend one of our BForty Pilates studios where we use and maintain CCTV cameras. Where installed,

CCTV cameras are appropriately sign-posted at all entrances and exits, as well as in hallways and other open areas.

### **IP addresses**

Our Platforms may also collect Internet Protocol (IP) addresses. IP addresses are assigned to computers on the internet to uniquely identify them within the global network. BForty Pilates collects and manages IP addresses as part of the service of providing internet session management and for security purposes. BForty Pilates may also collect and use web log, computer and connection information for security purposes and to help prevent and detect any misuse of, or fraudulent activities involving, our Platforms.

### **How we may use your personal information**

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Your personal information may be used in order to:

- verify your identity;
- assist you to place orders through our Platforms;
- process any purchases of products and/or services that you may make through our Platforms, including charging, billing and collecting debts and shipment of products to you;
- make changes to your account;
- to customise our Platforms and services according to your interests;
- respond to any queries or feedback that you may have;
- conduct appropriate checks for credit-worthiness and for fraud;
- prevent and detect any misuse of, or fraudulent activities involving, our Platforms;
- conduct research and development in respect of our products and/or services;
- assess any potential employment applications or franchisee/ownership opportunities;
- gain an understanding of your information and communication needs or obtain your feedback or views about our products and/or services in order for us to improve them; and/or
- maintain and develop our business systems and infrastructure, including testing and upgrading of these systems,

and for any other purpose reasonably considered necessary or desirable by BForty Pilates in relation to the operation of our business.

From time to time we may communicate with you by email, sms or mail with news, information and offers relating to our own products/services or those of selected partners. Your personal information may also be collected so that BForty Pilates can promote and market products and services to you. This is to keep you informed of products, services, and special offers we believe you will find valuable and may continue after you cease acquiring products and services from us. If you indicate a preference for a method of communication, we will endeavour to use that method whenever practical to do so. If you would prefer not to receive promotional or other material from us, please let us know and we will respect your request. You can unsubscribe from such communications at any time if you choose. We do not provide your personal information to other organisations for the purposes of direct marketing.

## **When we may disclose your personal information**

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In order to deliver the products/services you require or for the purposes set out above, BForty Pilates may disclose your personal information to organisations outside BForty Pilates. Your personal information may be disclosed to these organisations only in relation to our Platforms, and BForty Pilates takes reasonable steps to ensure that these organisations are bound by confidentiality and privacy obligations in relation to the protection of your personal information. These organisations may carry out or provide:

- customer enquiries;
- mailing systems;
- billing and debt-recovery functions;
- information technology services;
- marketing, telemarketing and sales services;
- market research; and
- website usage analysis.

In addition, we may disclose your personal information to:

- our related bodies corporate and our franchisee/independent business operating under the Bforty Pilates network;
- your authorised representatives or legal advisers (when requested by you to do so);
- credit-reporting and fraud-checking agencies;
- credit providers (for credit-related purposes such as creditworthiness, credit rating, credit provision and financing);
- our professional advisers, including our accountants, auditors and lawyers;
- government and regulatory authorities and other organisations, as required or authorised by law;
- organisations who manage our business strategies, including those involved in a transfer/sale of all or part of our assets or business (including accounts and trade receivables) and those involved in managing our business risk and funding functions; and
- the police or other appropriate persons where your communication suggests possible illegal activity or harm to others.

Some of these organisations may be located outside Australia including India and North America. In all instances where this occurs, we only disclose your personal information to them and authorise them to use it in accordance with the Privacy Act and this Privacy Policy.

## **Storage and security of your personal information**

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BForty Pilates is committed to maintaining the confidentiality of the information that you provide us and we will take all reasonable precautions to protect your personal information from unauthorised use or alteration. In our business, personal information is stored electronically

(on our computer systems and with our website hosting and app providers). Firewalls, anti-virus software and email filters, as well as passwords, protect all of our electronic information.

We may also store information in secure databases (including trusted third-party storage providers based in Australia and overseas). We will only disclose your personal information to overseas recipients where we have taken reasonable steps to ensure that the overseas recipient does not breach the APPs in relation to your personal information.

### **Retention of your personal information**

BForty Pilates will delete your personal information when it is no longer reasonably required for the permitted purpose for which it was collected or you withdraw your consent (where applicable) and we are not legally required or otherwise permitted to continue storing your information.

### **Third party websites**

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You may click-through to third party websites from our Platforms, in which case we recommend that you refer to the privacy statement of the websites you visit. This Privacy Policy applies to our Platforms only and BForty Pilates assumes no responsibility for the content of any third party websites.

### **Re-marketing**

BForty Pilates may use the Google AdWords and/or Facebook re-marketing services to advertise on third party websites to previous visitors to our Platforms based upon their activity on our Platforms. This allows us to tailor our marketing to better suit your needs and to only display advertisements that are relevant to you. Such advertising may be displayed on a Google search results page or a website in the Google Display Network or inside Facebook. Google and Facebook may use cookies and/or pixel tags to achieve this. Any data so collected by Google and/or Facebook will be used in accordance with their own respective privacy policies. None of your personal Google and/or Facebook information is reported to us.

You can set preferences for how Google advertises to you using the Google Ads Settings page (<https://www.google.com/settings/ads>). Facebook has enabled an AdChoices link that enables you to opt out of targeted advertising.

### **Cookies**

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Our Platforms uses "cookies" to help personalise your online experience. A cookie is a text file or a packet of information that is placed on your hard disk by a web page server to identify and interact more effectively with your computer. There are two types of cookies that may be used at our Platforms: a persistent cookie and a session cookie. A persistent cookie is entered by your web browser into the "Cookies" folder on your computer and remains in that folder after you close your browser and may be used by your browser on subsequent visits to our Platforms. A session cookie is held temporarily in your computer's memory and disappears after you close your browser or shut down your computer. Cookies cannot be used to run programs. Cookies are uniquely assigned to you, and can only be read by a web server in the domain that issued the cookie to you. In some cases, cookies may collect and store personal information about you. BForty Pilates extends the same privacy protection to your personal information, whether gathered via cookies or from other sources.

You can configure your internet browser to accept all cookies, reject all cookies or notify you when a cookie is sent. Please refer to your internet browser's instructions to learn more about these functions. Most web browsers automatically accept cookies, but you can usually modify

your browser settings to decline cookies if you prefer. If you choose to decline cookies, you may not be able to fully experience the interactive features of our Platforms.

### **Why we use cookies**

Our Platform uses cookies in order to:

- remember your preferences for using our Platforms;
- manage the signup process when you create an account with us;
- recognise you as logged in while you remain so. This avoids your having to log in again every time you visit a new page;
- facilitate e-commerce transactions, to ensure that your order is remembered between pages during the checkout process;
- show relevant notifications to you (eg, notifications that are relevant only to users who have, or have not, created an account or subscribed to newsletters or email or other subscription services); and
- remember details of data that you choose to submit to us (eg, through online contact forms).

Many of these cookies are removed or cleared when you log out but some may remain so that your preferences are remembered for future sessions.

### **Third party cookies**

In some cases, third parties may place cookies through our Platforms. For example:

- Google Analytics, one of the most widespread and trusted website analytics solutions, may use cookies de-identified data about how long users spend on our Platforms and the pages that they visit;
- Google AdSense, one of the most widespread and trusted website advertising solutions, may use cookies to serve more relevant advertisements across the web and limit the number of times that a particular advertisement is shown to you; and
- third party social media applications (eg, Facebook, TikTok, LinkedIn, Pinterest, YouTube, Instagram, etc) may use cookies in order to facilitate various social media buttons and/or plugins in our Platforms.

### **Contacting us about privacy**

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If you would like more information about the way we manage personal information that we hold about you, please contact BForty Pilates' Privacy Officer by email at [info@bfortypilates.com.au](mailto:info@bfortypilates.com.au).

### **Access to your personal information**

In most cases, you may have access to personal information that we hold about you. We will handle requests for access to your personal information in accordance with the APPs. All requests for access to your personal information must be directed to the Privacy Officer by email using the email address provided. We will deal with all requests for access to personal information within a reasonable time frame. Requests for a large amount of information, or information that is not currently in use, may require further time before a response can be

given. We may charge you a fee for access if a cost is incurred by us in order to retrieve your information, but in no case will we charge you a fee for your application for access.

In some cases, we may refuse to give you access to personal information that we hold about you. This may include circumstances where giving you access would:

- be unlawful (eg, where a record that contains personal information about you is subject to a claim for legal professional privilege by one of our contractual counterparties);
- have an unreasonable impact on another person's privacy; or
- prejudice an investigation of unlawful activity.

We may also refuse access where the personal information relates to existing or anticipated legal proceedings, and the information would not be accessible by the process of discovery in those proceedings.

If we refuse to give you access, we will provide you with reasons for our refusal.

### **Correcting your personal information**

We will amend any personal information about you that is held by us and that is inaccurate, incomplete or out of date if you request us to do so. If we disagree with your view about the accuracy, completeness or currency of a record of your personal information that is held by us, and you ask us to associate with that record a statement that you have a contrary view, we will take reasonable steps to do so.

### **Complaints**

If you believe we have breached the Privacy Act or wish to make a complaint about the way BForty Pilates has handled your personal information or a request from you to access or correct your personal information, you may contact our Privacy Officer using the email listed above.

Please include your name, email and telephone number and clearly describe your complaint which will be investigated as soon as is practicable.

If you are not satisfied with the outcome of any internal investigation we conduct, you may lodge a complaint with the Office of the Australian Information Commissioner (OAIC) at [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au) or on 1300 363 992.

### **Changes to this Privacy Policy**

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BForty Pilates reserves the right (at its discretion) to modify, amend or replace this Privacy Policy from time to time to take account of new laws and technology and any changes to BForty Pilates' operations and practices. Any changes will be in accordance with any applicable requirements under the Privacy Act and the APPs. We may notify you about changes to this Privacy Policy by posting an updated version on our Platforms. Please look at the Last Updated date at the top of this Privacy Policy as published on our Platforms.

Your continued use of our Platforms and services provided by us after any change in this Privacy Policy will constitute your acceptance of such change.

If you require any further information about the Privacy Act and the APPs, you can visit the Federal Privacy Commissioner's website (see [www.privacy.gov.au](http://www.privacy.gov.au)).